

## REMARKS/ARGUMENTS

The present Amendment is responsive to the non-final Office Action mailed September 4, 2009 in the above-identified application.

Claim 12 is canceled without prejudice or disclaimer. Therefore, claims 1-11 and 13 are the claims currently pending in the present application.

Claims 1 and 13 are amended to clarify features recited thereby. These amendments are fully supported by Applicant's disclosure.

### *Rejection of Claims 1, 2, 4-7, 9 and 10 under 35 U.S.C. § 103*

Claims 1, 2, 4-7, 9 and 10 are rejected under 35 U.S.C. § 103 as being obvious from Brookshire et al., U.S. Patent No. 7,013,879 in view of Aupperle, U.S. Patent Application Publication No. 2004/0050374. Reconsideration of this rejection is respectfully requested.

Without intending to limit the scope of the claims, an effect or advantage according to an aspect of Applicant's invention as claimed in claim 1 is that a main extent of the air cooler for cooling the mixture of exhaust gases and first air may be positioned parallel to a main extent of the engine coolant cooler for cooling the liquid medium of the engine. Accordingly, as explained, for example, at page 3, lines 27-32 of the Specification, the air flow already provided to the engine coolant cooler, and optionally a fan positioned in that region, may be also provided to the air cooler.

Claim 1 requires an arrangement for recirculation of exhaust gases in an engine, the arrangement comprising an air cooler cooled by ambient air, the air cooler being incorporated in the inlet line downstream from the connection of the return line to the inlet line so that, when the exhaust gases are returned via the return line, the air cooler cools a mixture of the exhaust gases and the first air before the mixture is led to the combustion engine, and an engine coolant cooler configured to cool liquid medium for cooling the combustion engine and having a main extent position parallel to a main extent of the air cooler.

The Office Action acknowledges (Office Action, page 4) that Brookshire and Aupperle do not disclose or suggest such features, but cites Zurawski.

Zurawski discloses a system and method for determining EGR flow in a multi-cylinder engine (Zurawski, Abstract). Zurawski discloses a charge air cooler 154, a radiator 166 for

cooling engine coolant, and the cooling fan 164 for cooling the radiator 166 (Zurawski, Fig. 2, col. 6, lines 8-27).

Zurawski does not disclose or suggest an air cooler incorporated in the inlet line downstream from the connection of the return line to the inlet line so that, when the exhaust gases are returned via the return line, the air cooler cools a mixture of the exhaust gases and the first air before the mixture is led to the combustion engine, and an engine coolant cooler having a main extent position parallel to a main extent of the air cooler, as required by claim 1. That is, as discussed, Zurawski discloses that charge air cooler 154 is positioned in the inlet line with a main extent that may be roughly parallel to the engine coolant radiator, but this charge air cooler 154 is not downstream from the connection of the return line to the inlet line, as required by claim 1.

Further, this air cooler is not downstream from the connection of the return line so that, when the exhaust gases are returned by the return line, the air cooler cools a mixture of the exhaust gases and the first air, as further required by claim 1. Moreover, even taken together in combination, Zurawski, Brookshire and Aupperle do not disclose or suggest a charge air cooler having a main extent parallel to a main extent of the engine coolant cooler, which air cooler provides the effect or advantage of cooling such a mixture of EGR gases and the first air, as provided according to an aspect of Applicant's invention as claimed in claim 1.

Claims 2, 4-7, 9 and 10 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

#### *Rejection of Claims 3, 8 and 11-13 under 35 U.S.C. § 103*

Claims 3, 8 and 11-13 are rejected under 35 U.S.C. § 103 as being obvious from Brookshire et al. in view of Aupperle, as applied to claim 1 above, and further in view of Zurawski, U.S. Patent No. 6,601,387. Reconsideration of this rejection is respectfully requested.

Claims 3, 8 and 11 and 13 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons. Claim 12 is canceled without prejudice or disclaimer, and therefore, the rejection is moot as to this claims.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the claims of the present application are respectfully requested.

Respectfully submitted,

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